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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/644,911	08/24/2000	Nozomu Ikeda	7217/62372	1862
7590	12/02/2004		EXAMINER	
<b>Jay H Maioli</b> Cooper & Dunham LLP 1185 Avenue of the Americas New York, NY 10036				GHULAMALI, QUTBUDDIN
			ART UNIT	PAPER NUMBER
			2637	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/644,911 Examiner Qutub Ghulamali	IKEDA, NOZOMU Art Unit 2637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 06 July 2004.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-10,12-24,26-34,36-38,40-47 and 49 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-10,14-24,28-34,38,40-47 and 49 is/are rejected.  
 7) Claim(s) 12,13,26,27,36 and 37 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 24 August 2000 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

1. This Office Action is responsive to the Application filed on 07/06/2004/.
2. Applicant's amendment, filed 07/06/2004, with respect to rejection under 35 U.S.C 112, first paragraph, has been fully considered. The rejection of claims 40, 42, 43, 45, 46 and 49 has, therefore, been withdrawn.
3. The indicated allowability of subject matter in the last Office Action mailed 04/06/2004 of claims 11-13, 25-27, 35-37 and 48 is withdrawn in view of the newly discovered reference(s) to Sato et al ("Sato") (US Patent No. 5,802,017). The delay in the discovery of the reference is regretted. Rejections based on the newly cited reference(s) follow:

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-7, 10, 14-21, 24, 28, 29-32, 38, 40-44, 47 and 49, are rejected under 35 U.S.C. 102(e) as being anticipated by Sato et al ("Sato") (US Patent No. 5,802,017).

Consider claims 1, 15, 29, 32 and 40, Sato (figs. 1, 4, 5), discloses a system for communicating information signals and control signals among a plurality of electronic devices

connected to each other by communication control buses transmitting a primary signal from a first electronic device (12) to a second electronic device (14, 15) acting as a sender in a system via a transmission line (17, 19) connected between an analog output terminal of said first electronic device acting as a receiver in the system and an analog input terminal of said second electronic device 14, 15, second electronic device (14) supplies, in the form of an electronic signal (information signal and control signals), device information associated with said second electronic device over said information signal transmission line; and said first device detects device information (mode) and controls outputting of signal to second device (14), the second device is a recording device (14, VTR) for recording signal on a recording medium (col. 6, lines 20-23), supplies operation status indicating the device is in recording mode, first device detects operation status received via the transmission line and controls outputting of information signal in accordance with a status indicated by the operation command (col. 3, lines 38-35, 37-67; col. 4, lines 62-67; col. 5, lines 15-58).

Regarding claims 2, 16, 21, 30, 41, 44 Sato discloses (figs. 1, 2A-C), second electronic device VTR supplies device information upon detection via the IEEE1394 bus of device connection (col. 5, lines 8-30; col. 6, lines 33-44).

Regarding claims 3, 17 Sato discloses (figs. 2A-C) an information transmission method wherein the first device PC in the system, detects via the communication control bus that an electronic device VTR is connected to it via inquiry command, and device information supplied by the VTR (col. 6, lines 14-38).

Regarding claims 4, 18, 31 Sato discloses (fig. 5) information transmission method wherein first electronic device controls outputting data information such as 1010001 and 1101111 upon getting the response from the VTR (col. 6, lines 33-38).

As regards to claims 5, 19, 42 Sato discloses that the second electronic device VTR always supplies device information over transmission/reception line (bus) (col. 6, lines 51-58).

With reference to claims 6, 10, 20, 24, 43, 47, Sato discloses a conventional multiplexing transmission wherein due to traffic congestion the transmission path 73 directed from unit 72 (device 1) to the unit 74 (device 2) become busy and the multiplexed transmission path 73 is suppressed (col. 1, lines 51-63).

Regarding claim 7, Sato first electronic device PC transmits an inquiry (request), about the audio mode to the second device VTR, the VTR 14 supplies channel information over the transmission line (col. 6, lines 23-31).

With reference to claims 14, 28, 38, and 49, Sato discloses use of IEEE 1394 serial bus as a medium of communication between electronic devices, the IEEE1394 serial bus is known to support both high quality analog and digital video editing and recording as implicitly implied (col. 1, lines 5-38; col. 5, lines 9-25).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 8, 9, 22, 23, 33, 34, 45, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al (“Sato”) (US Patent No. 5,802,017) in view of Sugita et al (“Sugita”) (US Patent No. 6,389,137).

Consider claims 8, 9, 22, 23, 33, 34, 45, 46, Sato, in combination with other claimed limitations to claims 1-7, 10, 14-21, 24, 28, 29-32, 38, 40-44, 47 and 49 noted above, discloses every feature of the claimed invention. Sato however, is silent to information supplied by second device has a lower signal level than a primary signal level using a spread spectrum conversion.

Sugita discloses a method, wherein the original recording signal (fig. 1) is generated with a sufficiently fast period and spectrally spread by applying it to the anti-duplication control signal S8, a narrow bandwidth, high level anti-duplication control signal S11 is converted to a wideband, low level signal that it does not cause deterioration of the video when superimposed on the video signal S4 (col. 7, lines 40-52). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a low level spread spectrum conversion signal for information transmission so as to minimize deterioration of the signal being transmitted as taught by Sugita.

#### ***Allowable Subject Matter***

8. Claims 12-13, 26-27, and 36-37, are objected to as being dependent upon rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Watanabe et al (US Patent 4,622,583) is cited as art of interest showing detection and operation of electronic devices connected together in an ordinary broadcast system.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Qutub Ghulamali whose telephone number is (571) 272-3014. The examiner can normally be reached on Monday-Friday from 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

QG.  
November 22, 2004.

TEMESGHEN GHEBRETISSA  
PRIMARY EXAMINER

11/23/04